

VSP Public Comment

From: Michelle Gabriel [mwg@jmbaai.com]
Sent: Thursday, June 23, 2005 9:01 AM
To: Secretary of State, Constituent Affairs
Subject: State certification of voting systems equipment

6/23/05

In order to protect, preserve and defend the Sanctity of the Vote, I hereby request that State Certification be denied to the above mentioned voting systems *__*

*1. **DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 Voting System with The Accu View Printer Module__*

*2. **E S & S TABULATORS, Models 100, 550, and 650 __*

*3. **Any System with Wireless and Internet Capabilities__*

The voting systems equipment is in violation of the following:*__*

CALIFORNIA CONSTITUTION

ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL

SEC. 2.5. A voter who casts a vote in an election in accordance with the laws of this State shall have that vote counted.

TABULATING SYSTEMS SOFTWARE:

Both the Diebold System and the ES&S Tabulators operate on Proprietary Closed Source Code Software, their tabulating processes being so secretive and hidden from public scrutiny and observation as to make the verification and observation process hidden and non transparent to the Voter. This is antithetical to the very foundation of American Democracy.

AVVPAT (Accessible Voter Verified Paper Audit Trail)

The system is not a production system and is not Federally certified. The paper is Thermal Paper, decreasing the shelflife readability, rendering it useless for a meaningful recount. Special environmental conditions are required for storage and as such, it is NOT in compliance for the 22 month mandatory ballot retention laws. This small size of the paper audit trail does not serve the needs of the voters.

WIRELESS and INTERNET CAPABILITIES:

This functionality MUST be denied as it compromises the entire integrity, secrecy, and security of the voting process. Any knowledgeable hacker with a good encryption cracking program can access and corrupt and alter the voting data in a matter of minutes. The ES&S

tabulators have a Dell Laptop which contains wireless equipped functionalities.

In addition, I request that the Secretary of State:

BAN DIEBOLD FROM DOING BUSINESS IN CALIFORNIA FOR 3 YEARS:

Enforce California Election Code Section 19214.5, Subsection (a) and (3)
due to their Criminal Acts of Defrauding 17 California Counties in the
sale of Uncertified Software.

From:

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6/23/05